**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF MONTANA**
**GREAT FALLS DIVISION**

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>vs.<br><br>C'ERRA DAWN CLARK,<br><br>Defendant. | **CR-13-36-GF-BMM-01**<br><br><br><br>**ORDER** |

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 14, 2018. (Doc. 123.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and

Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a final revocation hearing on February 13, 2018. (Doc. 122.) Clark admitted that she violated the conditions of her supervised release. (Doc. 123 at 1.) Clark violated the conditions of her supervised release by 1) consuming alcohol; 2) failing to participate in a program for mental health treatment; 3) failing to report for substance abuse testing on August 17, 28, and 31, 2017; 4) failing to report for substance abuse treatment on August 17 and 24, 2017, and September 7, 2017; (5) failing to live at a place approved by her probation officer; (6) failing to follow instructions of her probation officer; and (7) using a controlled substance. *Id.*

Judge Johnston has recommended that the Court revoke Clark's supervised release. *Id.* at 5. Further, Judge Johnston has recommended Clark should be sentenced to twelve months and one day, followed by no term of supervised release. *Id.* at 6. The Court finds no clear error in Judge Johnston's Findings and Recommendations. Clark's violations of her conditions represent a serious breach of the Court's trust. A sentence of twelve months and one day incarceration, followed by no term of supervised release, represents a sufficient, but not greater than necessary sentence.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 123) are **ADOPTED IN FULL.**

**IT IS FURTHER ORDERED** that Defendant C'erra Dawn Clark be sentenced to twelve months and one day incarceration, followed by no term of supervised release.

DATED this 28th day of February, 2018.

Brian Morris
United States District Court Judge